

AMENDED IN SENATE JUNE 24, 2014

AMENDED IN ASSEMBLY MAY 24, 2013

AMENDED IN ASSEMBLY MAY 6, 2013

AMENDED IN ASSEMBLY APRIL 22, 2013

AMENDED IN ASSEMBLY APRIL 8, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 543

Introduced by Assembly Member Campos

February 20, 2013

An act to add Section ~~21097~~ 21083.02 to the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 543, as amended, Campos. California Environmental Quality Act: translation.

Existing law, the California Environmental Quality Act, referred to as CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. *CEQA requires a lead agency to provide and post*

specified notices. CEQA requires the Office of Planning and Research to prepare and develop guidelines for the implementation of CEQA and the Secretary of the Natural Resources Agency to certify and adopt those guidelines.

This bill would require a lead agency to translate, as specified, certain notices required by the act and a summary of any negative declaration, mitigated negative declaration, or environmental impact report when a group of non-English-speaking people, as defined, comprises at least 25% of the population within the lead agency's jurisdiction and the project is proposed to be located at or near an area where the group of non-English-speaking people comprises at least 25% of the residents of that area. the office, on or before July 1, 2016, to prepare and develop recommended amendments to the guidelines and the secretary, on or before January 1, 2017, to certify and adopt those amendments to the guidelines to establish criteria for a lead agency to assess the need for translating those notices into non-English languages, as specified. By requiring a lead agency to translate these notices and documents, consider the criteria for translating those notices, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 21097 is added to the Public Resources~~
- 2 ~~Code, to read:~~
- 3 ~~21097. (a) When a group of non-English-speaking people~~
- 4 ~~comprises at least 25 percent of the population within a lead~~
- 5 ~~agency's jurisdiction, and a project is proposed to be located at or~~
- 6 ~~near an area where the group of non-English-speaking people~~
- 7 ~~comprises at least 25 percent of the residents of that area, a lead~~
- 8 ~~agency shall translate each of the following into the language~~
- 9 ~~spoken by that group of non-English-speaking people:~~

1 ~~(1) Any notice required pursuant to Section 21083.9, 21092,~~
2 ~~21152, 21161 or any notice authorized pursuant to subdivision (b)~~
3 ~~of Section 21108 or subdivision (b) of Section 21152.~~

4 ~~(2) A summary of any negative declaration, mitigated negative~~
5 ~~declaration, or environmental impact report.~~

6 ~~(b) For the purposes of this section, “group of~~
7 ~~non-English-speaking people” means a group whose members~~
8 ~~either do not speak English or who are unable to effectively~~
9 ~~communicate in English because it is not their native language.~~

10 SECTION 1. *Section 21083.02 is added to the Public Resources*
11 *Code, to read:*

12 21083.02. *On or before July 1, 2016, the Office of Planning*
13 *and Research shall prepare, develop, and transmit to the Secretary*
14 *of the Natural Resources Agency recommended amendments to*
15 *the guidelines to establish criteria for a lead agency to assess the*
16 *need for translating notices required pursuant to Sections 21083.9,*
17 *21092, 21108, and 21152 into non-English languages for projects*
18 *considered pursuant to this division and requirements for posting*
19 *these notices in non-English languages. The secretary shall certify*
20 *and adopt those amendments on or before January 1, 2017.*

21 SEC. 2. No reimbursement is required by this act pursuant to
22 Section 6 of Article XIII B of the California Constitution because
23 a local agency or school district has the authority to levy service
24 charges, fees, or assessments sufficient to pay for the program or
25 level of service mandated by this act, within the meaning of Section
26 17556 of the Government Code.